

Docket No. 24180-124005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of Richards, et al.

) Examiner: Sandra M. Nolan

Appln. No. 10/046,500

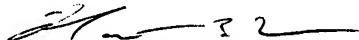
) Group Art Unit: 3727

Filed: October 24, 2001

) Certificate of Mailing

For: POLYPROPYLENE CONTAINER AND
PROCESS FOR MAKING THE SAME

) I, hereby certify that this correspondence (along with any
documents referred to as attached or enclosed) is being deposited
with the US Postal Service as first class mail in an envelope
addressed to: Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on March 19, 2004.

) 
Matthew E. Leno, Reg. No. 41,149

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In accordance with 37 CFR §§ 1.56, 1.97 and 1.98, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the patent application filed herewith. A copy of each reference cited is enclosed herein.

Applicants submit that this Information Disclosure Statement is being submitted along with the fee set forth in 37 C.F.R. §1.17(p). Accordingly, no certification is required for the consideration of the cited references.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosure of any reference or other art, including the disclosures of those references and other information discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

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03/23/2004 PHAB11 00000131 130206
01 FC:1806 180.00 DA

The citation of the above documents and other information is not to be construed as an assertion that more pertinent art could not possibly be in existence.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the enclosed Form PTO-1449 with initials or other appropriate remarks.

The Office Action mailed February 9, 2004, refused to review these, and other, references pursuant to 37 C.F.R. §1.97, 1.98 and MPEP 609 because they lack publication dates. As a result, references JA-JE of the Form PTO-1449 submitted on November 10, 2003, were not reviewed by the Office. Applicants resubmit herewith references JD and JE with publication dates. The publication dates of references JA-JC are not known.

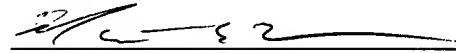
Please charge the fee due under 37 C.F.R. §1.17(p) to Deposit Account No. 13-0206.

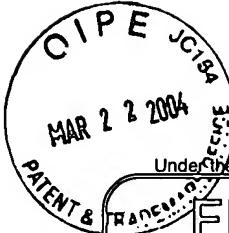
Respectfully submitted,

McDERMOTT, WILL & EMERY

Date: March 19, 2004

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227 West Monroe Street
Chicago, Illinois 60606-5096
Telephone: (312) 372-2000


Matthew E. Leno
Registration No. 41,149
Attorney for Applicant



Image

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$)** 180

Complete if Known

Application Number	10/046,500
Filing Date	October 24, 2001
First Named Inventor	Richards, et al.
Examiner Name	S. Nolan
Art Unit	3727
Attorney Docket No.	24180-124005

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number **13-0206**
Deposit Account Name **McDermott, Will & Emery**

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee			
1002 340	2002 170	Design filing fee			
1003 530	2003 265	Plant filing fee			
1004 770	2004 385	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1) (\$)		0			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** = 0	x 18	= 0
			- 3** = 0	x 86	= 0

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		0

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Matthew E. Leno	Registration No. (Attorney/Agent)	41,149	Telephone (312) 372-2000
Signature		Date	March 19, 2004	

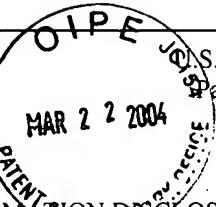
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

(Rev. 5/92)
Comparable to
Form PTO-1449

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)



U.S. Department of Commerce
Patent and Trademark Office

Docket No: 24180-124005

Appl. No. 10/046,500

Applicants: Richards et al.

Filing Date: October 24, 2001 Group: 3727

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

JD	Phillip T. DeLassus and Nicole F. Whiteman, "Physical and Mechanical Properties of Some Important Polymers", <u>Polymer Handbook</u> , 4th ed., pp. 159-169 (February 22, 1999).	
JE	Ethylene Polymers, Vol. 6, <u>Encyclopedia of Polymer Science and Engineering</u> , Vol. 6, pp. 420-423 (1986).	

Examiner	Date Considered
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*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.